Case: 2:05-cv-00447-ALM-MRA Doc #: 11-5 Filed: 08/10/05 Page: 1 of 1 PAGEID #: 70

United States Court of Appeals for the Federal Circuit

717 Madison Place, N.W. Washington, D.C. 20439

Jan Horbaly Clerk of Court

August 8, 2005

202-633-6550 202-633-9623 (F)

Noble Shaheed Allah-El 640 SW 2nd Avenue, Suite 25 Miami, FL 33130

RE:

Appeal from the U.S. District Court for the Southern District of Ohio,

Case no. 2:05-CV-00447

Dear Mr. Allah-El:

The court received your notice of appeal in the case identified above on August 8, 2005. Your notice of appeal was incorrectly mailed to this court. Pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, your appeal to the Federal Circuit must be filed at the lower court (the U.S. District Court for the Southern District of Ohio). I have forwarded your notice of appeal to the U.S. District Court for the Southern District of Ohio. If the appeal is in proper order, the District Court will file it and transmit it to the Federal Circuit Court of Appeals for docketing.

I am enclosing a copy of the Federal Circuit Rules of Practice for your information.

Sincerely,



Jan Horbaly, Clerk

cc:

U.S. District Court for the Southern District of Ohio

Encl: notice of appeal